

Howard County Zoning Regulations

SECTION 103.0 Definitions

Composting Facility: A facility where organic material, specifically limited to vegetation, food waste, and manure, that is obtained principally from off-site locations is processed to generate a product through the microbiological degradation of this organic material under aerobic conditions.

Mulch Manufacture: The manufacture of horticultural mulch from wood, wood products or similar materials. This term does not include the production of mulch as a by-product of on-site farming.

SECTION 106.1: County Preservation Easements

D. Conditional Uses

1. ALPP Purchased Easements and ALPP Dedicated Easements

a. Conditional Uses shall not be allowed on agricultural preservation easements unless they support the primary agricultural purpose of the easement property, or are an ancillary business which supports the economic viability of the farm, and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations. On an ALPP purchased or dedicated easement property, the area devoted to Conditional Uses may not exceed a cumulative use cap equal to 2% of the easement.

The following Conditional Uses may be allowed:

(10) Landscape contractors

(12) Sawmills, bulk firewood, mulch manufacture and/or soil processing

b. In addition, the following Conditional Uses which may require additional land area may be permitted on agricultural preservation easements:

(3) Composting Facility.

2. Other Dedicated Easements

a. Conditional Uses shall not be allowed on other dedicated easements unless they support the primary purpose of the easement property and are approved by the hearing authority in accordance with the applicable provisions of Sections 130.0 and 131.0 of these regulations. On these dedicated easements, the following Conditional Uses which do not require the construction of new principal structures or use of an outdoor area that is more than 2% of the preservation parcel acreage up to a maximum of 1 acre may be allowed:

(17) Sawmills, bulk firewood, mulch manufacture and/or soil processing

b. In addition, the following Conditional Uses which may require additional land area may be permitted on other dedicated easements:

(3) Composting Facility

SECTION 117.1: BR (Business Rural) District

C. Uses Permitted as a Matter of Right

19. Mulch manufacture.

SECTION 122.0: M-1 (Manufacturing: Light) District

B. Uses Permitted as a Matter of Right

21. Farming, provided that on a residential lot or parcel of less than 40,000 square feet no livestock shall be permitted. However, residential chicken keeping is allowed as noted in Section 128.0.

SECTION 124.0: SW (Solid Waste) Overlay District

B. Uses Permitted as a Matter of Right if the Underlying District is M-2:

1. Land clearing debris landfills.
2. Rubble landfills.
3. Solid waste processing facilities.

SECTION 131.0: Conditional Uses

N. Conditional Uses and Permissible Zoning Districts

15. Composting Facility

A Conditional Use may be granted in the RC District for a waste composting facility provided that:

a. All materials received on the site meet the definition of compost as defined in these regulations.

b. In addition to the bulk regulations of the applicable zoning district, the following structure and use setbacks shall apply:

- (1) From adjacent residential lots or parcels 300 feet
- (2) From public street rights-of-way 100 feet
- (3) From existing streams and wetlands 100 feet
- (4) From existing farms 50 feet

c. A landscaped buffer area with a minimum width of 100 feet shall be maintained around the perimeter of the site except adjoining a farm. The landscaped buffer shall be used only for planting, fencing, and driveways for ingress and egress to the site.

d. The operation shall not result in odors which are detectable on surrounding properties.

e. The operation shall be conducted in a safe and environmentally sound manner, as prescribed by law or regulations and with respect to the likelihood of hazard to persons or damage to lands, natural resources, streets, bridges, and public rights-of-way.

f. The operation shall be conducted in a manner which will prevent insect and/or rodent infestation.

g. The facility shall be maintained in a clean and sanitary condition.

h. All liquid, including leachate and storm water runoff, generated from the composting facility shall be collected and treated prior to disposal, in accordance with applicable regulations.

i. The hours of operations shall be restricted to between 7:00 a.m. and 6:00 p.m., and no operation shall be permitted on Sundays except repairs to equipment and improvements, unless other days and hours are approved by the Hearing Authority.

j. On-site retail sales of finished compost shall be permitted if specifically approved by the Hearing Authority.

k. The structural elements of the roads serving the site shall be adequate for the truck traffic to be generated by the composting facility. The petition shall include a road condition study to allow the Hearing Authority to make this determination.

l. The Conditional Use plan submitted with the petition shall show the following:

- (1) Survey boundaries of the subject property.
- (2) Existing natural features including streams, ponds, springs, and wetlands.
- (3) Existing and proposed topography.
- (4) Setback and buffer area, including type of screening and fencing.
- (5) Portion of tract to be used for composting operations, including the location and layout of:

- (a) Waste unloading, receiving and storage areas;

- (b) Waste processing areas, including areas for grinding, screening, mixing and other operations to prepare waste for composting;

- (c) Composting areas;

- (d) Compost curing areas;

- (e) Compost final product preparation areas (screening and other operations); and

- (f) Finished compost storage and loading areas.

- (6) Existing and proposed structures and major mechanical equipment.

- (7) Existing and proposed access driveways.

- (8) Water supply (including quantity requirements) and sewage disposal.

- (9) Stormwater management for quantity and quality control.

- (10) Facilities for storage and treatment for leachate and any other liquids generated by the operation.

- (11) Other existing or proposed uses on the site

m. The operations plan shall be submitted by the applicant to enable the Hearing Authority to evaluate the potential impacts of the proposed use. If the petition is approved, substantial changes to the operations plan shall not be implemented without prior approval of the Hearing Authority. The plan shall provide the following information:

- (1) Types, anticipated quantities and sources of waste.

- (2) Methods by which unacceptable wastes delivered to the facility will be identified, segregated, and handled for removal and disposal.

(3) Off-site location where unacceptable wastes delivered to the composting facility will be disposed of.

(4) Methods by which waste quantities delivered will be determined including weighing facilities to be provided.

(5) A description of major items of equipment and associated capacities.

(6) A description of proposed buildings and pads for storage, composting and processing.

(7) A description of delivery methods and requirements.

(8) A description of incoming material handling and processing methods including processing capacity and storage volume to be provided.

(9) A description of the composting process to be utilized including composting capacity to be provided, composting technology, required composting time, and assurance of acceptable level of pathogen reduction.

(10) A description of compost curing, handling and processing methods including processing capacity and storage volume to be provided.

(11) A description of finished compost storage, distribution and delivery methods and requirements.

(12) Methods of controlling odors, dust, litter, noise, and insect or rodent infestation; methods of insuring public safety; methods of preventing and, if necessary, controlling fires; and methods of collecting and treating liquids generated by the use.

(13) Procedures for cleaning and maintaining the appearance of the facility, including collection of litter and waste which falls from transport vehicles in the vicinity of the site, including adjacent private properties and public roads.

n. A rehabilitation plan shall be submitted at the time of the Conditional Use application for approval by the Hearing Authority. The plan shall provide for the following minimum rehabilitation program:

(1) All structures and machinery shall be completely removed and underlying excavations filled to grade and planted in grass except structures or machinery that are to be continued in operation for a use permitted under the zoning classification.

(2) All impervious surfaces shall be removed and properly disposed of. The areas from which the surfaces are removed shall be backfilled with suitable soil and regraded as necessary to provide adequate drainage. All such areas shall be planted in grass which shall be maintained through one year's growth.

(3) All waste, composting material, and finished compost shall be removed from the site and shall be disposed of in conformance with applicable laws or regulations.

N. Conditional Uses and Permissible Zoning Districts

The Hearing Authority may grant Conditional Uses in the specified districts in accordance with the following minimum criteria.

46. Sawmills, Bulk Firewood Processing, Mulch Manufacture, or Soil Processing

A Conditional Use may be granted in the RC or RR Districts for sawmills, and the cutting of firewood in bulk, mulch manufacturing, or soil processing provided that:

a. Buildings and structures used for processing activities, equipment and outdoor uses associated with the operation shall be at least 500 feet from existing residences on different lots and at least 300 feet from property lines. Buildings or structures which are principally used for storage and which are not used for processing activities shall be at least 100 feet from property lines.

b. Parking, storage areas and equipment shall be screened from adjoining properties and public roads by landscaping or other appropriate means.

c. Hours of operation shall be established by the Hearing Authority.

d. Retail sales of materials produced on-site may be permitted if specifically approved by the Hearing Authority.

e. The minimum lot size is 10 acres.

f. The vehicular access to the use shall be from an arterial or collector highway and not from a local road unless authorized by the Hearing Examiner.

g. On an ALPP purchased or dedicated easement property, the following additional criteria are required:

(1) The use shall not interfere with farming operations or limit future farming production.

(2) Any new building or building addition associated with the use, including any outdoor storage and parking area shall count towards the cumulative use cap 2% of the easement.